



## COUNTY OF SAN LUIS OBISPO Department of Agriculture/Measurement Standards

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### Ag Tourism & Direct Marketing Work Group

April 11, 2006

Meeting Minutes

Submitted by Michael Isensee, April 17, 2006

#### Present:

-Alison Denlinger (alt)	-Doug Filipponi	-MaryAnn Vasconcellos	-Brenda Ouwerkerk
-Angela Thompson	-Elizabeth Rolph	-Roy Parsons	(staff)
-Anne McMahon	-Holly Setteland	-Steven Knudson (alt)	-Steve Carnes (Env
-Colleen Childers	-Jamie Kirk	-Karen Nall (staff	Health)
-Deanne Gonzales	-Joy Barlogio	-Michael Isensee (staff)	-Bob Lilley (Ag
-Debra Garrison	-Lora Pankey Eade		Commissioner)

#### Absent:

Charlie Whitney, Dick Rogers, Duane Waddell, Eric Michielssen (alt), Karen Mansfield (ATF monitor), Kim Pasciuto, Mary Bianchi, Sandra Wallace (alt), Steve Sinton

#### **Handouts:**

1. Agenda & Draft minutes
2. Updated committee schedule/deadlines
3. Project overview (to be provided to Ag Liaison Board for presentation April 24)
4. Answers to Env. Health Questions, provided by Steve Carnes
5. Second draft sales (#4)
6. First draft events (#2) – recreation/camping & hunting clubs
7. First draft events (#3) – temporary/special events; special events matrix for comments

#### **Introductions (Brenda)**

Steve Carnes from Env Health to speak on requirements for lodging facilities and answer questions  
Bob Lilley, Ag Commissioner, to speak on greenhouse and winery processes to develop consensus ordinances

#### **Minutes Review (Michael)**

Approved without comment

#### **Health Code (CA Uniform Retail Food Facilities Law, Sec 113700 et seq) Overview (Steve Carnes)**

- Two primary options for lodging facilities (*motel/hotel* or *restricted food service transient occupancy*).
- Motel/hotel can have a food facility but must meet all uniform rules governing food facilities. It is not specifically defined in the CURFFL, but would be any lodging facility with more than 20 rooms
- Restricted food service transient occupancy* is restricted to facilities of up to 20 rooms and are allowed to serve “only a breakfast or similar early morning meal and no other meals” to guests and “light food or snacks...for self service” (CURFFL Sec 113870). These are commonly referred to as bed & breakfasts.
- A subset of this category is an *agricultural homestay*, which is restricted to no more than 6 guest rooms and 15 guests, a location on a farm where lodging and meals are incidental to the establishment. These are allowed to serve meals at any time.

- Restricted food service transient occupancy uses are exempted from certain specific requirements in the uniform state food safety law (eg can be in a structure that also includes sleeping facilities, does not necessarily need to meet all equipment standards).
- Other Env Health requirements that apply to all lodging facilities include:
  - Public water system that requires regular testing
  - At least one certified food safety employee
  - All food must come from approved sources as defined by CURRFL
  - Swimming pools/spas must meet commercial standards
- Other issues covered by Steve
  - events – may be able to utilize “temporary food facilities” portion of regulations (CURRFL Art 13)
  - sampling – allowed only in certified food facility (eg store that meets Env Health regs) or in certified farmers market under specified conditions as outlined in CURRFL (Sec 114350)
  - food facilities do not include premises set aside for winetasting if no food or beverage is offered for sale for onsite consumption (CURRFL Sec 113785(b)(2))
  - Steve encouraged people to plan for future use and submit plans than enables one to meet any anticipated future expansion. However, it was pointed out that this is not always consistent with Planning requirements.

### **Presentation on History of *Greenhouse & Winery Ordinance Development (Bob Lilley)***

#### Greenhouses:

- Newer residents upset by impacts from greenhouse/nursery industry on Nipomo Mesa
- Did not support any new greenhouses
- Committee formed of industry and neighbors to address concerns (truck traffic, views, noise).
- One specific idea considered was a greenhouse zone where such facilities would be allowed, while excluding such facilities elsewhere. Idea was discarded as it limited agricultural uses—ag should be a free market economy
- Developed consensus. Formed Central Coast Greenhouse Growers Association. Implemented good neighbor policy

#### Wineries:

- Process started after passage of Ag & Open Space Element (AOSE). Goal was to implement Policies 6 (visitor serving) & 8 (processing).
- Santa Barbara had just restricted processing to grapes grown at least 50% on site as basically a reaction to problems with events
- Process only addressed winery industry, not the remainder of agriculture; thus current process is underway.
- Committee was formed with industry representation (vintners, development agents, architects, industry association) and concerned neighbors
- Ag Dept wanted to separate processing from tourist activities, seeing growing and processing as necessary for agriculture while retail and tourism not agricultural in nature; industry saw two as inseparable
- AOSE allows for “destination processing” To this date county is exporting majority of grapes for processing. Beneficial to industry to process and add value locally. Destination processing includes allowing processing when product is not grown on site or even in county.
- Industry stated most important issues were allowing for tasting room and events. Consensus process (and policy) determined that tasting was to be secondary and incidental to processing (not crops) and that 40 was a magic number for max # of events (this was a balance between 200+ events held at some facilities at that time with others who did not want any events). Also allowed “limited food serving,” no restaurants and no motels. Did make changes to B&B standard but maintained limit of 8 rooms. There were some who wanted to raise that # but little discussion about lowering it. Limited food serving was translated into up to 800 s.f. restaurant accessory to visitor serving use. B&B was translated into allowing “inn” to be built in addition to any allowed residences.
- Current process should start with AOSE policies and work to implement policy.

- Ag Dept role will be to consider projects' effects on ag resources and ag operations
- Bob will answer Kim's questions re agtourism / direct marketing process with email to group.

### **Presentation Draft #2: Sales – (#4 Sales Committee)**

Cmtee recommends 3 direct marketing options modeled on various Env. Health/Building issues.

1. Grower seller – exempt from Env. Health regs. But must sell own produce from a facility that does not require a building permit.
  - Cmtee recommends such a facility be approved with a zoning clearance (ZC) & business license (BL) as long as it is located on AG zoned land and the display structure is no more than 120 sf in size
2. Produce stand-a food facility where a producer sells produce and the facility is located on premises under the control of the producer (grower). Specific Env. Health standards apply (CURFFL Art. 14). Requires a building permit.
  - Cmtee recommends facility be approved with a ZC & BL and be located on a site of at least 5 acres and with up to 500 s.f. of sales area, and be located in any zoning category.
3. Farm store-a food facility regulated by Env. Health and requiring a Building Permit.
  - Cmtee recommends facility require a ZC and BL, be located on a site defined as an active farm with at least 10 acres of crops and be in any zoning category. Cmtee feels farm stores should be able to sell products grown by owner, neighbor's products, other ag products grown in the county, value-added products with the defining ingredient grown in the county, and ag-related gift items. Other areas still under discussion.

Cmtee agreed that distinction between temporary & permanent stands be eliminated

Cmtee agreed that term *roadside stand* should not be utilized

Questions for the work group included:

- What products could be sold in a produce stand or a farm store?
- Produce stands are limited to produce, but should they be limited to the source of the produce or just to the size of the facility? Should a facility larger than a certain size (eg 750 sf) be allowed? Should a max size (eg 10,000 sf) be set.? Should a discretionary permit be required for facilities over a certain size?
- What is the appropriate size limitation for a farm store? Should stores over a certain size require a discretionary permit?
- Farm stores with appropriate Env Health and Building permits are not specifically limited in what they can sell. Should they be allowed to sell anything? Should a % of product grown by the store owner be set? Should a max % of non ag items be set?
- Should the processing of agricultural crops (eg pumpkins, wool, cherries, olives) be allowed on ag land? The ordinance currently defines these processes as manufacturing processed foods and beverages (food and beverage processing), while ag processing is currently defined in a much more limited manner (but allows wineries)
- If food manufacturing is allowed, should it be limited to the products grown on site? Should it only be allowed as a home occupation (no employees)? If you have a food manufacturing facility that meets Env Health regs, can it also be utilized to operate a restaurant?

Comments & questions from the work group included:

- How will percentages be regulated? A: ?
- What is an ag-related gift item? A: ?
- What parking and access standards are being proposed? A: These have not been discussed. If approved through a ministerial permit, no traffic improvements can be required (such as a turn lane)
- What about non-ag zoning? A: Produce stands and farm stores would be allowed in any zoning category that meets the definition.
- A discussion about where the products should come from was held, without a consensus. Options included, SLO, tri-county area, CA, anywhere. The question became how a farm store would be differentiated from any other retail outlet except for its location on ag land.

### **Presentation Draft #1: Recreation/Events - (#2 Events Committee)**

Reported on camping (incidental, which means no permanent facilities and organizational, which means run by an organization and typically consisting of cabins, a common meeting/food hall, and other facilities) and hunting clubs.

Questions from the cmtee for the work group included:

- Is the definition of camp and campsite unit appropriate? A: Email replies to cmtee by 4/18
- Should organizational camping be allowed on ag land and under what circumstances? A: Email replies to cmtee by 4/18
- Should an increase in min parcel size be done? A: There was no consensus. Email suggestions to cmtee by 4/18
- Should an exception be made for properties abutting public lands? A: There was discussion but no final agreement on wording. Conceptually there appeared to be support for such an approach
- Who should be the review authority? A: This was not answered. Email suggestions to cmtee by 4/18
- Should the half-mile distance for the location of hunting clubs from residences and residential land use categories (such as Rural Residential or Rural Suburban) be reduced to 150 yards? A: there was no agreement on this change and whether the state enforced standard for hunting (150 yards) should apply to the operation of a hunting club commercial operation.
- What should the min site area for a sport shooting facility be? A: the ordinance relating to sport shooting is not going to be modified.

### **Presentation Draft #1: Temp/Special Events - (#3 Events Committee)**

Cmtee wants rules to apply to any land use category where use meets Farmstay Cmtee definition of “active farm or ranch”

Cmtee also considering application of standard to all Agriculture lands and Rural Lands (zoning)

Trying to define what is an *event*, how many people constitute an event, and what is the *public*, and what kinds of events (eg family or personal events, nonprofit events) are outside regulation.

Cmtee agrees:

- A one-size fits all approach is not appropriate.
- A category of easy to get ministerial permits for low impact events on active farms and ranches should be created
- A more rigorous, discretionary process should occur for events with potential impacts to neighbors/resources
- Important variables include
  - # of people,
  - # of event-days
  - parcel size
  - type of event
  - located on active farm or ranch
  - road access
  - amplification
  - setbacks
  - on-site parking

Due to the late hour there was little work group discussion. Comments can be forwarded to the work group.

**Meeting adjourned at 9:20 PM**

**Next Meeting: April 27, 6:30-9 PM at Templeton Sheriff Substation**